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METIS LAND RIGHTS IN ALBERTA: A POLITICAL HISTORY

THE HANDBOOK

THE METIS ASSOCIATION OF ALBERTA

METIS LAND RIGHTS IN ALBERTA:
A POLITICAL HISTORY
THE HANDBOOK

With a preface by Sam Sinclair
President, Metis Association of Alberta

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courtesy of The Royal Ontario Museum

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Edmonton, Alberta
Canada
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The Metis Association of Alberta Constitutional Committee, 1982.
Back row, l-r: Stan Sewell, VP Henry Houle, Peter Pelletier, Andy Collins, PRESIDENT Sam Sinclair, Tom Bouvette
Front row, l-r: Archie Laboucane, Brian Fayant, Clifford Gladue

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PREFACE

Decades from now, the history books in our schools will refer to the April 17, 1982 patriation of the Canadian Constitution.

Metis people were, for the first time in history, recognized in the Constitution of Canada by way of Section 35 (1) and (2).

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35. (1) *The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.*

(2) *In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit and Metis peoples of Canada.*

The Executive and Board of the Metis Association of Alberta and the Premier of Alberta were very instrumental in entrenching Section 35 in the Constitution.

Yet, much work remains to be done in defining aboriginal rights and aboriginal title. We are certain that the Native peoples of Canada will be part of the negotiating team, that will be involved in the finalization of the *Canada Act.*

I urge each and every Metis person to stand behind their leaders in this struggle. Work together in a united front, so that the history books will indeed say: "Our forefathers made it possible for us to enjoy these rights." A strong united front will be our most effective weapon in reaching this goal.

I believe this handbook and the initial copy "Metis Land Rights in Alberta: A Political History" will give you insight into some of the struggles our people have faced in the past and incentive to continue striving to attain a more fulfilling life for the Metis people.

S. J. Sinclair

Sam Sinclair, President
Metis Association of Alberta

WHAT DO WE MEAN BY THE WORDS "METIS", "HALF-BREED" AND "NON-STATUS INDIAN"?

These words have been used in different ways in the past but today we use them to describe persons born of a mixed Indian-White union who are *not* registered as Indians under the *Indian Act.*

The word "Metis" comes from the prairie provinces, especially the Red River area where the idea of the nationhood of the Metis began. The word "Metis" is now being used in other parts of Canada. "Half-Breed" is a word which was used in the late 1800's and early 1900's but it is not used today. "Non-Status Indian" is a term for a person who is not, or in many cases, is no longer, registered under the *Indian Act.* Sometimes today Metis are called Non-Status Indians and vice-versa.

HOW DID THE RED RIVER METIS COME TO CALL THEMSELVES A *NATION*?

The French-speaking, Roman Catholic Metis were a very important power in the West, both economically and politically. As a distinctive and united cultural group, they considered themselves a *nation.*

The Metis played a vital economic role in the fur trade. They were both fur-traders and fur-trappers. They were the guides and interpreters for other fur-traders and explorers. They were the freighters, carrying goods from Winnipeg

throughout the NorthWest. They were the hunters who provided the trade posts, the boat brigades and the farmers of Red River with the meat from the Great Buffalo Hunt. Good leaders were needed to organize the Great Buffalo Hunt. Everyone had to work together. These qualities of leadership and co-operation also made the Metis strong politically.

The political strength of the Metis was tested a number of times in the Red River of the early 1800's. The governors of the Selkirk Colony at Red River tried to stop the Metis from running buffalo or selling pemmican to far-away trade posts. The Hudson's Bay Company tried to stop the Metis from dealing in furs as free-traders. However, the Metis successfully upheld their right to make their own decisions as to how they would live.

WHAT PLANS DID THE FEDERAL GOVERNMENT HAVE FOR *CANADIAN* NATIONHOOD?

By the mid-1800's, the federal government wanted to Canadianize the West, to make one nation from sea to sea. They did not see that there were other nations in the West, like the Metis.

The federal government saw in the West a wealth of natural resources, particularly farm products. The West was to be settled by farmers who would sell grains and beef to the East and buy manufactured goods from the East.

To reach this goal, the federal government wanted to settle the West quickly and to build a cross-country railway to

carry goods. So they planned to set up the homestead system so settlers could get land by farming it. They gave large grants to railway companies so they would build railways. They also gave land grants to colonization companies so they could bring in more settlers.

HOW DID THE METIS IDEA OF NATIONHOOD CONFLICT WITH THE FEDERAL GOVERNMENT'S IDEA OF NATIONHOOD?

The federal government wanted a free hand in their plans to settle the West. It did not want to have to negotiate with a Metis nation within the Canadian nation. So it denied that the Metis were a nation and tried to force through its own plans for the West without consulting the people who lived there.

WHY DID THE ARMED RESISTANCES OF 1869 AND 1885 HAPPEN?

History books talk about the Metis' two great struggles with the government as "rebellions" but these were really armed resistances against the government's aggressive actions.

Both the resistance of 1869 in Red River and the one of 1885 in Saskatchewan happened for the same reason. In the push to settle the West the federal government ignored the demands of the Metis for secure title to their lands. In 1885,

Fig. 1 Louis Riel and Associates, c. 1869.

Glenbow-Alberta Institute

this concern was even more pressing as the federal plans for homesteading and railways were underway. This meant that the Metis were losing their land and their traditional ways of making a living.

WHAT WAS THE RESULT OF THE 1869 ARMED RESISTANCE?

The Provisional Government of the Red River Metis, led by Louis Riel seized Ft. Garry and forced the Canadian government to negotiate with them. Among other things, the Metis drew up a List of Rights. This List outlined the conditions under which the entry of Manitoba into Confederation would be acceptable to the Metis.

The List of Rights particularly stated that the province, not the federal government, should have control over public land. The Metis felt that this would mean that their land rights were truly protected. They expected that these points would be included in the *Manitoba Act*.

WHAT WAS THE *MANITOBA ACT*?

The *Manitoba Act*, passed on May 12, 1870, brought the Province of Manitoba into the Canadian Confederation. It included many of the points in the Metis' List of Rights. However, the federal government kept the rights over the land and natural resources. The government felt it would be easier to carry out one policy of settlement in all of the West if they owned all the land.

To pay the Metis for the loss of their land, the *Manitoba Act* set aside 1.4 million acres of land for the Children of Half-Breed Families. Later, it was decided that the Half-Breed Heads of Families should also receive compensation. This was made in cash. The government felt that these grants would free the Metis lands for settlers from the East.

WHAT WAS THE *DOMINION LANDS ACT*?

The *Dominion Lands Act,* first passed in 1870, set up the homestead system through which settlers could receive free land. To get this land, they had to live on the land and farm it.

The *Act* also provided for the satisfaction of native claims. An 1879 amendment recognized Metis aboriginal title in what is today northern Manitoba, Alberta, Saskatchewan and the North-West Territories.

WHAT HAPPENED TO THE MANITOBA METIS AFTER 1870?

Although the *Manitoba Act* of 1870 had provided for land for the Metis, it was 1877 before grants of land were actually made.

In the meantime, the federal government made changes to the *Manitoba Act.* It dropped the section that protected Metis land rights, particularly the promise that the occupied riverlots would not be taken over by newcomers. These

changes were actually unconstitutional since the *British North America Act* said that the Canadian Parliament could *not* alter any Act establishing a new province.

As a result, many settlers from the East did take over the land that the Metis had occupied. These new settlers were quite hostile to the Metis. So, many Metis moved west and northwest to what is now Alberta and Saskatchewan. Riel himself left for Montana after the Provisional Government was forcibly replaced.

WHAT WERE THE RESULTS OF THE 1885 ARMED RESISTANCE?

The 1885 armed resistance ended in a defeat for the Metis forces and their Indian allies at Batoche. The military leader, Gabriel Dumont, fled to the United States. The political leader, Louis Riel, was hanged for treason. This time there was no negotiation with the Canadian Government over Metis land rights.

Many Metis families once again migrated, this time to the west and to the south. Finally, the promise of land in the *Dominion Lands Act* of 1879 resulted in a scrip program for the Metis in the NorthWest Territory.

WHAT WAS SCRIP?

Scrip was used by the government to give lands or money to certain groups of people that it wished to reward or to compensate.

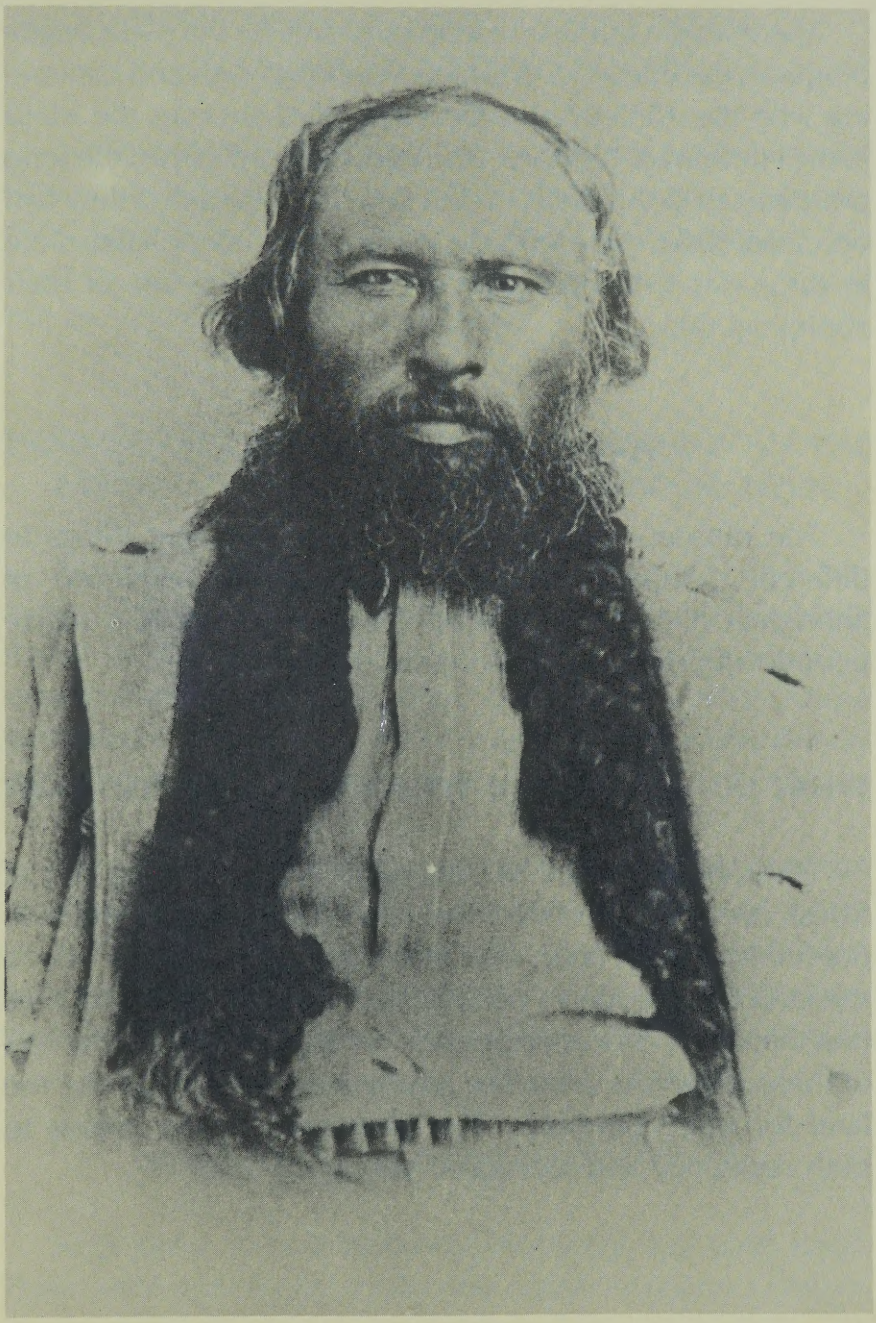

Fig. 2 Gabriel Dumont, c. 1880's. Glenbow-Alberta Institute

There were a number of scrip programs for the Metis beginning with the one in 1876 for the Manitoba Metis and continuing with the 1885-87 and the 1899-1900 ones for the Metis in the NorthWest Territory. In the government's eyes, the scrip programs paid the Metis for the loss of the land that they had occupied. Stated more formally, the land and money handed out in scrip was to compensate the Metis for the loss of their aboriginal title.

WHAT IS "ABORIGINAL TITLE"?

The phrase "aboriginal title" means different things to different groups of people. However, all definitions of aboriginal title center around the relationship of a native people with the land that they occupy.

WHAT DID ABORIGINAL TITLE MEAN IN BRITISH LAW?

The Canadian idea of aboriginal title first came out of British law. The British had the view that aboriginal title was not full title to the land. The government held the full title to the land but the native peoples had a right to the resources that they used. So native peoples were to be paid for the loss of these resources when the government decided to use the land for other purposes. This payment was the means to both recognize and extinguish aboriginal title.

WHAT DOES ABORIGINAL TITLE MEAN TO MODERN NATIVE GROUPS?

Today native groups have put together their own definition of aboriginal title using native ideas about land ownership. For instance, the Dene say that their aboriginal title must be recognized by the Canadian government but may not be extinguished or taken away.

HOW DID THE METIS OF THE 1800'S FEEL ABOUT THE EXTINGUISHMENT OF THEIR ABORIGINAL TITLE?

Riel did think that Metis aboriginal title could be taken away. However, he felt that the compensation should be nearer to the value of the land given up. Such a payment would have provided money and resources for future generations of Metis. He also thought that the Metis should be compensated as a group, not one by one.

The Metis leaders were not in favour of a scrip program which dealt with the Metis as individuals. This was a program imposed by the government without any discussion with the Metis leaders. The Metis had to accept the scrip program because they knew it was all they were going to get.

WHAT KINDS OF SCRIP WERE THERE?

Scrip came in two forms: money scrip and land scrip. These were both meant to give the owner or bearer a certain

amount of the Dominion Lands available. The land scrip was issued in 80-acre, 160-acre and 240-acre values; and the money scrip was issued in $ 80.00, $ 160,00 and $ 240.00 values.

WHAT WAS THE DIFFERENCE BETWEEN MONEY SCRIP AND LAND SCRIP?

Land scrip was defined as "real estate property". This meant that its use had to follow many of the same rules as for titles to land. For instance, it was made out to a specific person. It could be located on any Dominion lands free for homesteading but only by the person in whose name it was made out. There were many rules made to prevent speculation or fraud using land scrip.

Money scrip, on the other hand, was defined as "personal property". It was often simply made out to "bearer" so it could be used like money. This scrip was very easily sold. Land speculators would buy it up for a small fraction of its actual worth.

DID ONLY METIS PEOPLE RECEIVE SCRIP?

No, many different groups of people received scrip. It was given to certain officers in the NorthWest Mounted Police, to soldiers who fought for the government in the 1885 Resistance, to soldiers who fought in the Boer War and to the Original White Settlers in Manitoba.

DOMINION OF CANADA
Department of the Interior
NUMBER
4187
In conformity with certificate form — No. —
granted by the North West Half Breed Commission
It is hereby Certified that under the authority of an order of
the Hon.ble the Privy Council dated 30th. March 1885 as amended by the
order of the 18th. April 1885 and in accordance with the provisions of subsec 10 Sec 81 46 Vic Cap 17.
Jean Baptiste Forcier a Half Breed
is entitled to Two hundred and forty Dollars in scrip.
240
DOLLARS
240
DOLLARS
The coupons attached to this will be accepted in payment of Dominion Lands
on presentation at the office of Dominion Lands of the district within which such lands are situated
Issued at the Department of the Interior Ottawa this Twenty third day of June 1884
N.B. This Certificate of no value when detached from coupons hereto annexed.
BRITISH AMERICAN BANK NOTE COMPANY LIMITED

Fig. 3 North West Half Breed Commission money scrip. Coupons have been detached.

Glenbow-Alberta Institute

DID ALL THESE GROUPS RECEIVE BOTH LAND SCRIP AND MONEY SCRIP?

No, some groups such as the soldiers and the Original White Settlers in Manitoba received only land scrip. These scrip issues, as real estate property, were protected from speculation.

However, the Metis could receive both land and money scrip, except in the case of the Heads of Halfbreed Families in Manitoba. These Metis could receive only money scrip. So, the Metis were only partially protected from land speculators.

IN WHAT OTHER WAYS DID THE GOVERNMENT MAKE IT EASY FOR LAND SPECULATORS TO GET HOLD OF METIS SCRIP?

The government made certain laws about giving rights in scrip from one person to another.

For instance, the land scrip of a Metis person under the age of 21 could be located on a piece of land and sold to someone else by a parent or guardian. When most Metis children came of age, they no longer had any scrip.

Also, the government permitted people to act as agents for Metis persons. The Metis would sign pieces of paper called powers of attorney. Many land speculators were able to get Metis people who couldn't read or write English to sign a

Fig. 4 North West Half Breed Commission land scrip. Coupons have been detached.

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power of attorney. Then the speculator appeared before the Scrip Commission and got the money scrip. The Metis didn't know that they were giving their land rights away and often did not receive any money for their scrip.

The government did refuse to let the land scrip be assigned or given to another person before the scrip was used to get a piece of land. However, many methods were used to locate land scrip illegally, that is, without the Metis grantee being there.

The government refused to look into charges of fraud such as the illegal location of land scrip or the illegal means of obtaining powers of attorney.

The government made a rule that scrip could be used to buy homestead land. If a person did not wish to or could not put the work required into a homestead, he could buy Metis scrip at perhaps half its value to put towards the homestead. This rule meant that there was a large market for scrip.

HOW DID THE GOVERNMENT GIVE HELP DIRECTLY TO SCRIP SPECULATORS?

Scrip speculators were told of the times and places of the Scrip Commission hearings. They often travelled with the Commission.

Dominion Lands Offices posted advertisements for scrip speculators so that settlers would know where they could buy scrip and for what price.

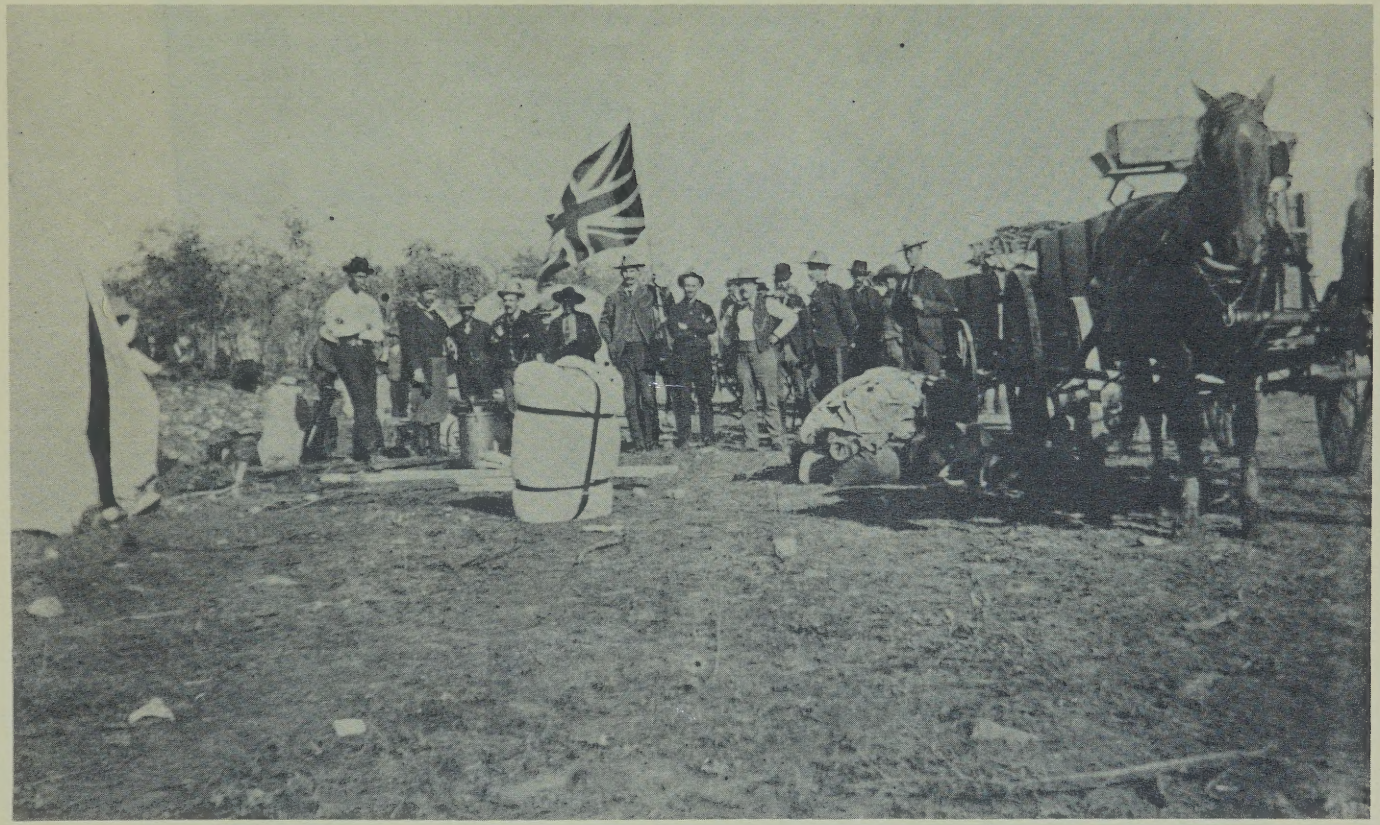
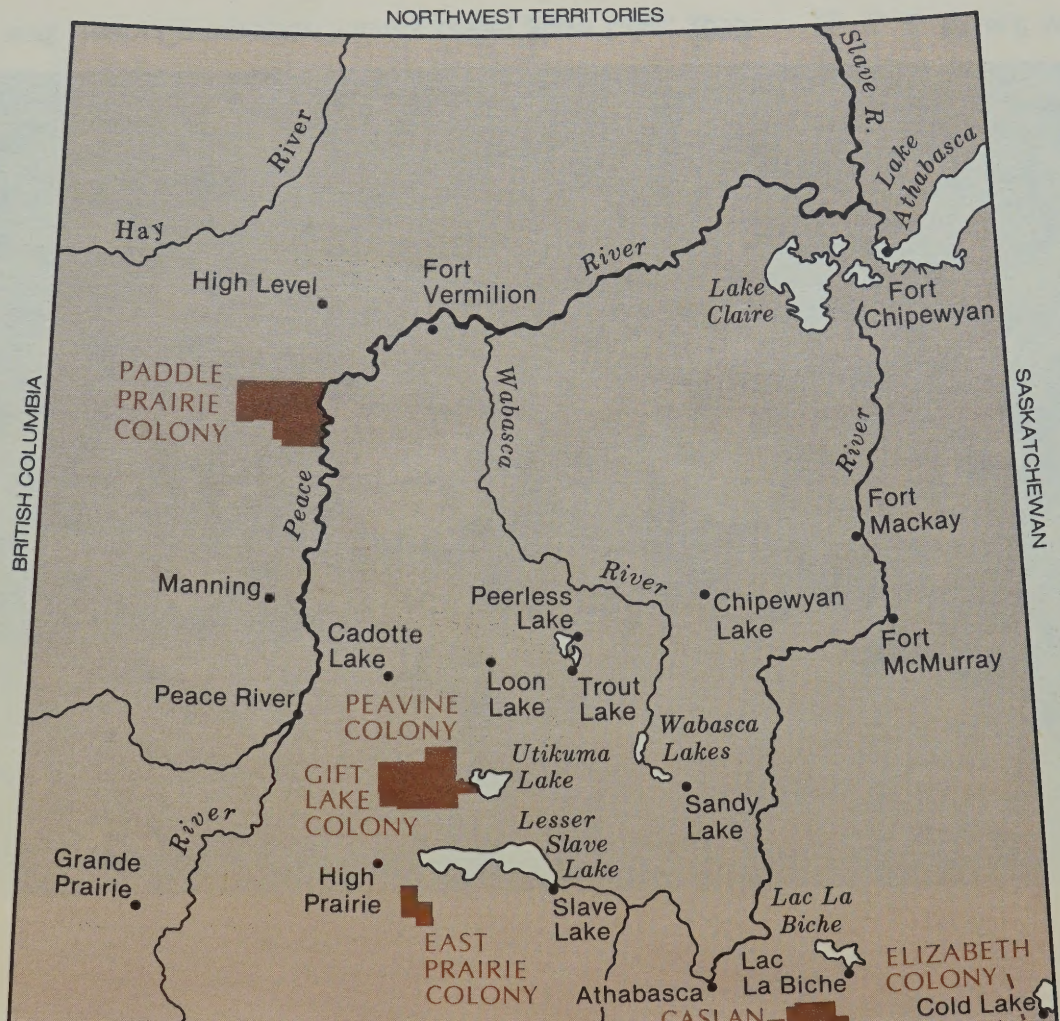


Fig. 5 Scrip and Treaty Commission leaving Lesser Slave Lake, 1899. R.C.M.P. Museum, Regina


NORTHWEST TERRITORIES
BRITISH COLUMBIA
SASKATCHEWAN
Hay River
Slave R.
Lake Athabasca
High Level
Fort Vermilion
River
Lake Claire
Fort Chipewyan
PADDLE PRAIRIE COLONY
Wabasca River
Peace River
Fort Mackay
Manning
Peerless Lake
Chipewyan Lake
Cadotte Lake
Fort McMurray
Peace River
Loon Lake
Trout Lake
PEAVINE COLONY
Wabasca Lakes
Utikuma Lake
GIFT LAKE COLONY
Sandy Lake
Lesser Slave Lake
Grande Prairie
High Prairie
Slave Lake
Lac La Biche
EAST PRAIRIE COLONY
Athabasca
Lac La Biche
ELIZABETH COLONY
Cold Lake

Metis Settlements in Alberta

The government set up a banking service for companies which bought a lot of scrip. The speculators could use a central account in Ottawa to transfer scrip to any Dominion Lands Office that they wished.

WHAT LAY BEHIND THE GOVERNMENT POLICY FAVOURING LAND SPECULATION?

The government had the goal of settling farmers in the West as quickly and efficiently as possible. Although the government also had the responsibility to protect the land rights of the native peoples, it felt that these rights were in the way of rapid agricultural settlement.

Since many Metis lost their land to speculators, it meant that their claim was not tying up large blocks of land. Instead, land was being made available to full-time farmers. In addition, land speculation by large companies was creating the fund of money needed for development.

At this time, the federal government was in a position of conflict of interest. This means that two of its concerns required different lines of action. To resolve this conflict, it decided that the interests of the minority, the Metis, should bow before the interests of the majority, the Euro-Canadians.

WHY DID THE METIS SELL THEIR SCRIP?

People often think that the Metis did not have to sell their scrip, that they had a choice. But there are some choices which are no choices at all.

Many Metis sold their scrip because they were starving. They needed money to buy food then. They could not wait several years for the first crop.

Many Metis did not want to become farmers. Farming was a risky business. Even if they did locate their scrip on land, many were not able to afford tools or seed grain. What many people needed was not just scrip, but a whole new economic policy that would control development and ease them into a new agricultural West.

For people who lived in the north, farming was impossible. The amount of land given in scrip was too small for their traditional hunting and trapping. So scrip would do little for them and they preferred to have the money.

Scrip was to be used only on lands that were open for homesteading, that is, even-numbered sections. The odd-numbered sections had been given to railways, the schools and the Hudson's Bay Company. If a Metis farm were on such a section, the people would have to either move or pay the higher price the owner would ask for it. Many Metis did not want to move away from their long established communities to locate land. They felt that it was simpler to sell their scrip for a quick profit. The rules and procedure for obtaining the actual cash or land were so complex that many Metis felt it was much easier to take the loss in money selling to speculators rather than wasting both time and money in following out the procedure.

WHAT WAS THE ST. PAUL DES METIS COLONY?

The St. Paul des Metis Colony was a farming colony set up (1896-1909) on four townships of land in east-central Alberta. The colony was the idea of Father Albert Lacombe. He felt that a farming colony run by the Oblates would help the Metis to become full-time farmers and so to adapt to the new times.

HOW DID THE GOVERNMENT AND THE OBLATES FEEL ABOUT THE COLONY?

Most of these people felt that the colony was a risk. However, they thought something should be done for the Metis. Since Lacombe's plan seemed to require little in the way of cash, it was approved.

The Department of the Interior agreed to give a lease on the land plus a small amount of money to buy seed grain and farm tools. The Oblates appointed Father Therien as colony manager. Therien himself had little interest in the farming side of it. He was more interested in religious and educational projects. This is reflected in the way money was spent on the colony. Money raised for the colony in the East in 1902 went to build a new church, to finish the boarding school and to pay the debts of the diocese of St. Albert.

WHAT DO WE MEAN BY A "PATRONAGE RELATIONSHIP"?

A patronage relationship refers to the exchange of favours between two people or groups when one is seen as more powerful or knowledgable than the other. In the past, native peoples have often sought out such knowledgable people or "patrons" to help them deal with the complicated Euro-Canadian system.

HOW DID SUCH PATRONAGE RELATIONSHIPS AFFECT ST. PAUL DES METIS?

There were two patronage relationships at work in this case: one between the government (patron) and the Oblates; and a second between the Oblates (patron) and the Metis.

To begin with, Lacombe wanted to help the Metis who had been faithful Roman Catholics. The government of 1896 also wanted to help Lacombe since he had worked for them in their dealings with the Indians. So the setting was favourable for St. Paul des Metis.

In 1897, the government changed and the new government had no reason to help the Oblates, particularly since Lacombe had once quarrelled with the new Prime Minister. So, the colony didn't receive much in the way of money and the hoped-for vocational school was never built.

In 1904, a new Minister of the Department of the Interior, F. Oliver was appointed. He had been elected with the help

of the people of St. Paul des Metis and Father Therien. So the Department of the Interior was willing to pay some debts for seed grain after a crop failure at St. Paul des Metis.

In 1905, a fire started by several of the Metis children burnt down the large boarding school that the Oblates had cherished. In disappointment, Therien switched his patronage from the Metis to French Canadian settlers. Then, Therien used his influence with Oliver to open the colony to French Canadian homesteaders.

WHAT CAN BE LEARNED FROM THIS CASE?

We can see from this case that it is often risky for disadvantaged peoples to depend on others for help. Other people or other groups of people may have their own interests and goals that they want to put forward. Although the Oblates' intentions were good at first, they ended up using the Metis to reach their own goals of having an establishment to attract wealthier Roman Catholics.

HOW DID THE COLONY COME TO BE OPENED TO HOMESTEADERS?

In the four years after the fire (1905-1909), Therien worked very hard to open up the colony to homesteaders. He used his influence with Oliver to bring French Canadian settlers into the general area and then onto the colony. He began to represent the colony and the Metis in a bad light to the government.

All this was kept a secret from the Metis. When they began to ask questions, Oliver and Therien denied that there were any plans to open the colony to homesteaders. But the Oblates had secretly sent a letter to the government asking to end their leases and the government secretly approved.

HOW WERE THE METIS CLAIMS HANDLED?

The Department of the Interior investigated individual Metis claims before the colony was opened. Sixty-five Metis were allowed to make claim to land they had settled. Some who had filed for homesteads before could only claim 80 acres; others who had not homesteaded before could claim 160 acres including the 80 acres they had already occupied.

Twenty Metis claims were refused. These were the claims mostly of the unmarried sons of successful Metis claimants. As unmarried adults, these people usually lived with their parents and so had not established residence on the land they had been working. Therien's silence about his plans prevented such people from fulfilling all requirements before the settlement.

WHAT HAPPENED TO THE REST OF THE LAND IN THE COLONY?

It was decided that the colony would be opened to homesteaders on April 10, 1909. However, Therien and the

Department of the Interior kept the opening quiet. They arranged for 250 French Canadian homesteaders to file first on the land.

Both English-speaking settlers and the Metis whose claim had been disallowed but who could still have filed for homesteads were prevented from obtaining land.

WHAT HAPPENED TO THE METIS IN THE ST. PAUL DES METIS AREA?

Many Metis, even those who had obtained land in the area, eventually moved from the area of the former colony. People have suggested that there are a number of reasons why this happened.

First, the Metis felt that the French Canadians discriminated against them. Secondly, those on 80-acre grants had too little land to graze their horses and cattle. Thirdly, parents who had claims often moved so they could be near their children who had been unable to get land in the area.

HOW DID THE METIS ASSOCIATION OF ALBERTA GET STARTED?

In 1930 the federal government passed over the responsibility for natural resources to the provincial government. This meant that much of the Crown land would be opened

up for homesteading. The Metis who were living on Crown land were worried that they would have to move. So they decided to organize into a group to petition for land.

As this group grew in numbers, the members began to discuss other topics of concern: medical care, education and restrictions on hunting and fishing. Led by Joseph Dion, they presented petitions about these things to the provincial government. On December 28, 1932 this group formally became the Metis Association of Alberta.

WHAT WAS THE EWING COMMISSION?

In response to the Metis petitions, the Ewing Commission was appointed by the provincial government of Alberta in December, 1934. Their job was to look into the "problems of health, education and general welfare of the Half-Breed population of the Province".

The Commission was particularly concerned with the impoverished Metis of central Alberta. They held meetings in Edmonton and in small towns throughout central and northern Alberta. All kinds of witnesses appeared before them. It was pretty well known from the start that a land grant would be made: the question was how it would be handled and how the province would arrange for schools and doctors and nurses.

HOW DID THE MEMBERS OF THE EWING COMMISSION VIEW THE METIS AND THE LAND GRANT?

The members of the Ewing Commission were very patronizing towards the Metis. They felt that the Metis themselves, not government policy, were at fault for their poverty. So, although the Commission recommended that the people should be given schools and medical services, they also felt that there should be close supervision of them on their settlements.

Thus, the land grant was seen as a form of welfare. In fact, it was the only form of welfare Metis could get at this time. The land was definitely not seen as compensation for the failure of the scrip program.

WHAT WAS THE *METIS POPULATION BETTERMENT ACT*?

As a result of the Ewing Commission findings, the *Metis Population Betterment Act* was passed in November, 1938. The *Act* said that needy Metis could choose land for their own Settlements. This *Act* was written mostly by Dion and Tomkins, two members of the Metis Association of Alberta Executive. They saw the Settlements as co-operative ventures between the Metis and the provincial government in bettering the welfare of the Metis.

The *Act* said who could enter a Settlement and how the Settlements were to be organized. Groups of Metis were to

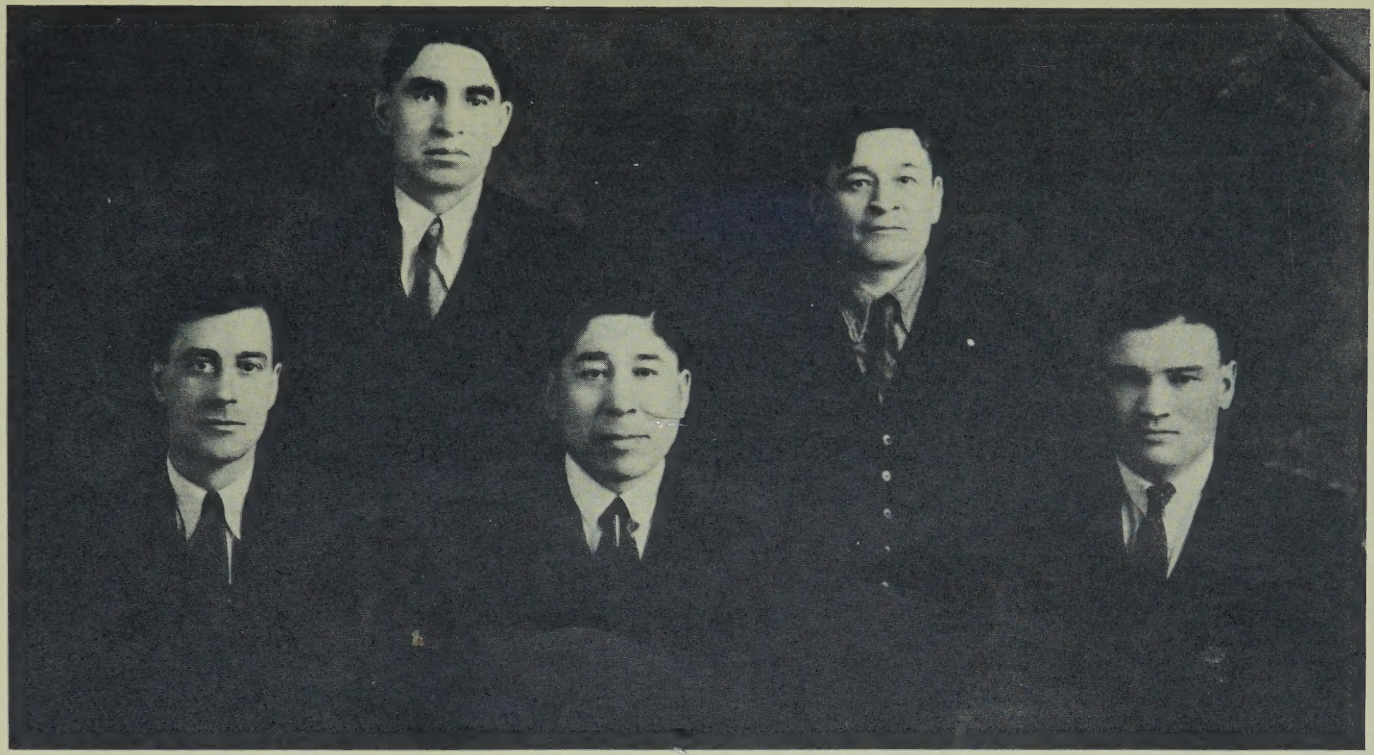


Fig. 6 The Executive Committee of the Metis Association of Alberta, 1932.
Back Row, L-R: Peter Tomkins, Felix Callihoo.
Front Row, L-R: Malcolm Norris, Joseph Dion, James Brady.

Glenbow-Alberta Institute

form Settlement Associations which would work with the government to give out land and to start other programs. A "Metis" was defined as a person of mixed white and Indian blood who was neither Indian nor non-Treaty Indian, as defined in the *Indian Act.*

WHAT HAPPENED RIGHT AFTER THE *BETTERMENT ACT* WAS PASSED?

The Metis in central and northern Alberta set up Settlement Associations. A Committee started to choose land. This Committee was made up of four members of the Metis Association and three members of the provincial government. At first, eleven locations were chosen. Later on in 1960 two of these were closed down.

HOW WAS THE INTENT OF THE *BETTERMENT ACT* LATER CHANGED?

We have said that Dion and Tomkins saw the Settlements as Metis and government working co-operatively to bring about a better life for the Metis. However, the Provincial government made changes to the *Betterment Act* in the years that followed.

These changes gave the Settlement Associations less say in how the Settlement was run and they gave the government more say through its appointed Supervisor. One of the results of this loss of autonomy by the Settlement Associa-

tions was that the Supervisors in the early years do not seem to have accounted for money from the sale of resources on the Settlement. The money from the sale of timber and hay should have gone into the Settlement Trust Funds but it never did.

HOW DID THE ALBERTA FEDERATION OF METIS SETTLEMENTS COME TO BE FORMED?

The Alberta Federation of Metis Settlements was formed in 1973 as a result of concern that the Settlements might close.

The political unity of the Metis in the 1930's had lost force after the Settlements had been set up. A one-to-one relationship had come about between each of the Settlements and the Department of Health and Welfare. A threat to close the Settlements had made the people realize that they should never have let their political unity fall apart.

The purpose of the Alberta Federation of Metis Settlements is to re-build this unity among the Settlements and to help them achieve the autonomy and independence that was the intent of the 1938 *Betterment Act*.

WHAT MAKES THE GRANDE CACHE LAND SETTLEMENT IMPORTANT?

There are two reasons why this land settlement is important.

First, the land settlement at Grande Cache is the only case in which the province of Alberta has recognized native title to land based on their long occupation of the land.

Secondly, when their traditional livelihoods were threatened by the new mines and town of Grande Cache, the local Metis people decided from the start *not* to rely on other "patrons" to help them solve this problem. Instead, they organized themselves into a group, the Native Area Development Committee which carried out the negotiations for a joint land claim-economic development project.

HOW WAS THE LAND SETTLEMENT STRUCTURED?

The Grande Cache Metis did not want individual ownership of the land. The government insisted that if the Metis were to own land as a group that it must be in a recognized Euro-Canadian way. So, it was decided to try two forms of group ownership: co-operatives and limited partnerships. Four co-operatives and two limited partnerships were set up.

After long negotiations, these six legal structures received a total of 4,150 acres, with a tax-free period of five years.

WHY DID NEGOTIATIONS OVER LAND TAKE SO LONG?

A change of provincial government in 1971 and disagreement over a number of issues prolonged the negotiations.

In particular, the Native Area Development Committee wanted cash compensation for damages to native lands when services were being installed for the new town and mines. The government refused to make awards for invasion of property that occurred before full title was issued. This matter was never resolved.

WHAT WERE THE CONSEQUENCES OF THE DELAY IN NEGOTIATIONS?

The Native Area Development Committee had planned to work with local businesses and officials in Grande Cache on economic development. They needed the land for their share of the development.

Delays in the land settlement blocked the native efforts to become involved in the local business community. The delays also undermined the native people's trust in the government.

WHAT HAPPENED TO THE NATIVES' ECONOMIC DEVELOPMENT PLANS?

The provincial government made many promises of money for economic development projects. However, they did not keep their promises. So the plans of the Grande Cache Metis did not come through. In 1976 the Native Area Development Committee closed down.

Recently, however, the people have seen that they need a central committee and that they need to continue working on their own towards their goal of self-sufficiency.

WHAT IS THE BASIS OF THE METIS CLAIM IN ALBERTA?

FIRST, the aboriginal title of the Metis is recognized in documents such as the *Manitoba Act* of 1870 and the various *Dominion Lands* Acts.

SECONDLY, the human rights of the Metis were violated. They were an independent nation. They had the right to negotiate directly with the government over their land claims. However, the government never consulted with the Metis about the scrip program nor did it ever fully recognize the individual property that the Metis owned before legal title was granted.

THIRDLY, the way the scrip program for the Metis was unjust and inefficient. It was designed to benefit land speculators, not Metis. Thus, the scrip program failed to extinguish Metis aboriginal title.

FINALLY, all of these charges show that the government was guilty of a breach of trust in respect to the Metis. The government had the responsibility to protect native lands and interests. However, it sacrificed the Metis interests to the federal goals of agricultural settlement in the West. It can be argued that under the terms of the *British North America Act,* the Metis still have the right to special consideration from the federal government.

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